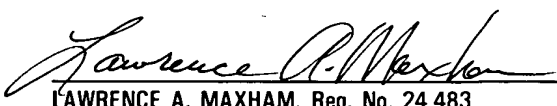


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|---|--|--|--|---|--|
| FORM PTO-1390<br>(REV 10-94)  |  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  |  | ATTORNEY'S DOCKET NUMBER<br>1184-6 LAM                |  |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b>   |  |  |  | U.S. APPLICATION NO. (If known, see 37 CFR 1.5)       |  |
|   |  |  |  | 097/254333  |  |
| INTERNATIONAL APPLICATION NO.<br>PCT/DE97/01956   |  | INTERNATIONAL FILING DATE<br>5 September 1997 (05.09.97) |  | PRIORITY DATE CLAIMED<br>05 September 1996 (05.09.96) |  |
| TITLE OF INVENTION "METHOD AND APPARATUS FOR DETERMINING THE PHASE AND/OR AMPLITUDE INFORMATION OF AN ELECTROMAGNETIC WAVE"   |  |  |  |   |  |
| APPLICANT(S) FOR DO/EO/US<br>RUDOLF SCHWARTE  |  |  |  |   |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |  |  |   |  |
| 1. <u>X</u> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.<br>2. <u>   </u> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing 35 U.S.C. 371.<br>3. <u>X</u> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).<br>4. <u>X</u> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.<br>5. <u>X</u> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<br>a. <u>   </u> is transmitted herewith (required only if not transmitted by the International Bureau).<br>b. <u>X</u> has been transmitted by the International Bureau.<br>c. <u>   </u> is not required, as the application was filed in the United States Receiving Office (RO/US)<br>6. <u>X</u> A literal translation of the International Application into English (35 U.S.C. 371(c)(2)).<br>7. <u>X</u> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<br>a. <u>   </u> are transmitted herewith (required only if not transmitted by the International Bureau).<br>b. <u>   </u> have been transmitted by the International Bureau.<br>c. <u>   </u> have not been made; however, the time limit for making such amendments has NOT expired.<br>d. <u>X</u> have not been made and will not be made.<br>8. <u>   </u> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).<br>9. <u>X</u> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).<br>10. <u>   </u> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).<br>Items 11. to 16. below concern other document(s) or information included:<br>11. <u>   </u> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.<br>12. <u>   </u> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.<br>13. <u>X</u> A FIRST preliminary amendment.<br><u>   </u> A SECOND or SUBSEQUENT preliminary amendment.<br>14. <u>   </u> A substitute specification.<br>15. <u>   </u> A change of power of attorney and/or address letter.<br>16. <u>X</u> Other items or information:<br>a. Return Receipt Postcard |  |  |  |   |  |

|  |                     |   |             |                                       |                     |
|--|---------------------|---|-------------|---------------------------------------|---------------------|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5)  |                     | INTERNATIONAL APPLICATION NO.<br>PCT/EP96/05143 |             | ATTORNEY'S DOCKET NO.<br>250-99 (LAM) |                     |
| 17. <input checked="" type="checkbox"/> The following fees are submitted:<br><br><b>Basic National Fee (37 CFR 1.492(a)(1)-(5)):</b><br>Search Report has been prepared by the EPO or JPO .....\$840.00<br>International preliminary examination fee paid to USPTO (37 CFR 1.482) .....\$670.00<br>No international preliminary examination fee paid to USPTO (37 CFR 1.482) but<br>international search fee paid to USPTO (37 CFR 1.445(a)(2)) .....\$760.00<br>Neither international preliminary examination fee (37 CFR 1.482) nor international search<br>fee (37 CFR 1.445(a)(2)) paid to USPTO .....\$ 970.00<br>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims<br>satisfied provisions of PCT Article 33(2)-(4) .....\$ 96.00<br><br><div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div> |                     |   |             | <b>CALCULATIONS</b>                   | <b>PTO USE ONLY</b> |
|  |                     |   |             |                                       |                     |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <u>  20  </u> <u>  30  </u> months from the earliest claimed priority date (37 CFR 1.492(e)).  |                     |   |             | \$                                    |                     |
| <b>CLAIMS</b>  | <b>NUMBER FILED</b> | <b>NUMBER EXTRA</b>                             | <b>RATE</b> |                                       |                     |
| Total Claims   | 34 - 20 = 14        | 14  | x \$ 18.00  | \$ 252                                |                     |
| Independent Claims   | 3 - 3 = 0           | 0   | x \$ 78.00  | \$                                    |                     |
| Multiple dependent claim(s) (if applicable)  |                     |   | + \$260.00  | \$ 260                                |                     |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |                     |   |             | \$ 1352                               |                     |
| Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28).   |                     |   |             | \$                                    |                     |
| <b>SUBTOTAL =</b>  |                     |   |             | \$ 1352                               |                     |
| Processing fee of \$130. for furnishing the English translation later than <u>  20  </u> <u>  30  </u> months from the earliest claimed priority date (37 CFR 1.492(f)).   |                     |   |             | \$                                    |                     |
| <b>TOTAL NATIONAL FEE =</b>  |                     |   |             | \$ 1352                               |                     |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property   |                     |   |             | \$                                    |                     |
| <b>TOTAL FEES ENCLOSED =</b>   |                     |   |             | \$                                    |                     |
|  |                     |   |             | <b>Amount to be:</b>                  |                     |
|  |                     |   |             | refunded                              | \$                  |
|  |                     |   |             | charged                               | \$ 1352             |
| a. <u>      </u> A check in the amount of \$ <u>          </u> to cover the above fees is enclosed.<br>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>  02-0460  </u> in the amount of \$ <u>  1352  </u> to cover the above fees. A duplicate copy of this sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>  02-0460  </u> . A duplicate copy of this sheet is enclosed.<br><b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.  |                     |   |             |                                       |                     |
| SEND ALL CORRESPONDENCE TO:<br>LAWRENCE A. MAXHAM<br>BAKER & MAXHAM,<br>750 "B" Street, Suite 3100<br>San Diego, CA 92101  |                     |   |             |                                       |                     |
| <br>LAWRENCE A. MAXHAM, Reg. No. 24,483<br>BAKER & MAXHAM  |                     |   |             |                                       |                     |

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

In re

Applicant : RUDOLF SCHWARTE  
U.S. Application No. : (Unknown)  
International Application No. : PCT/DE97/01956  
International Filing Date : 5 September 1997 (05.09.97)  
For : METHOD AND APPARATUS FOR  
DETERMINING THE PHASE AND/OR  
AMPLITUDE INFORMATION OF AN  
ELECTROMAGNETIC WAVE  
  
Priority Data : DE 196 35 932.5  
Filed: 5 September 1996 (5.09.96)  
: DE 197 04 496.4  
Filed: 7 February 1997 (7.02.97)  
  
Our Attorney/Docket Reference : 1184-6 LAM

**EXPRESS MAIL LETTER**

Assistant Commissioner for Patents  
Box PCT  
Attn: DO/EO/US  
Washington, D.C. 20231

The below items are enclosed with this letter for filing the above-identified National application:

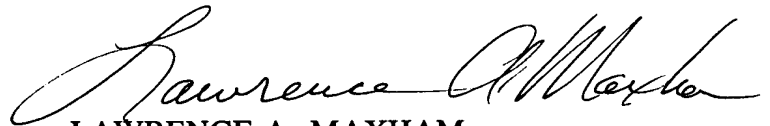
1. Express Mail Certification;
2. Transmittal Letter to the U.S. Designated/Elected Office (2 pages);
3. Combined Declaration for Patent Application & Power of Attorney ( 2 pages);
4. Application, including Description (39 pages), Claims (9 pages), and Drawing (14 sheets);
5. International Preliminary Examination Report (PCT/IPEA/409) (4 pages);
6. Preliminary Amendment with Abstract page (2 pages);
7. Return Receipt Postcard

page 2 of 2.

The serial number of the Express Mail certificate is EL300175787US, mailed on 4 March 1999.

Respectfully Submitted,

RUDOLF SCHWARTE

A handwritten signature in cursive script, appearing to read "Lawrence A. Maxham".

LAWRENCE A. MAXHAM

Registration No. 24,483

LAM:mc  
Enclosures